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February 25, 2016

VIA ECF

Hon. Gregory H. Woods
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Gersbacher, v. The City of New York, et al.* – 14cv7600 (GHW)
Status Update and Consent Request For Extension of Fact Discovery

Dear Honorable Judge Woods:

Please recall that I, along with the Law Offices of Stecklow and Thompson, represent Plaintiff Eric Gersbacher in the above-referred matter. I write today with Defendants' consent to update the Court on the status of the case, and to request a two (2) month extension of the fact discovery period herein. While is the first request for an extension of the discovery period in this case, the parties noted to Your Honor in our telephone conference of January 8, 2016, that a fact discovery extension may be sought.

Discovery in this case has proceeded with some difficulties, but the parties are in contact and productively conferring on disputed issues. The resolution of these issues will inform the preponderance of Plaintiff's deposition practice, and the parties are actively working together to limit the number of depositions needed in this case via other means of discovery. The scholastic schedule of Plaintiff Eric Gersbacher, who is a full-time student and part-time worker near Buffalo, New York, has also presented difficulties, as Mr. Gersbacher is unable to travel to New York to be deposed until his next school break in late March. Similarly, as a college student in the Buffalo area, far from his Counsel's offices, Mr. Gersbacher has limited access to notaries,

and that has occasioned delays in returning releases requested by Defendants in their discovery practice.

Given these logistical challenges, the parties respectfully submit that a two (2) month extension of the fact discovery period herein, to April 26, 2016, will allow for the parties to complete fact discovery in the most efficient manner possible, by allowing time for the parties to continue productive conference practice in discovery disputes and enabling the parties to notice and schedule only necessary and targeted depositions that will advance the case. As such, we respectfully request that Your Honor extend the fact discovery period in this case to close on April 26, 2016.

Thank you for your time and consideration. Please do not hesitate to have your clerk contact us with any questions or concerns.

I remain,

Very Truly Yours,

~//s//~
Samuel B. Cohen, Esq.

cc: (via ECF)

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